

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DENNIS JOBE

PETITIONER

V.

NO. 4:20-CV-36-DMB-DAS

MARSHAL TURNER

RESPONDENT

ORDER

On March 12, 2021, this Court entered an order dismissing with prejudice Dennis Jobe's petition for a writ of habeas corpus. Doc. #12. The Court dismissed the petition because Jobe filed his petition more than six years after the statute of limitations expired and because Jobe could not establish equitable tolling based on his mental illness because he failed to show that the mental illness prevented him from timely filing his petition. *Id.* at 5–6. In the order, the Court denied Jobe a certificate of appealability. *Id.* at 7.

On or about March 30, 2021, Jobe filed a motion for a certificate of appealability. Doc. #16. In his motion, Jobe makes numerous conclusory statements about how his mental illness allegedly prevented him from timely pursuing his petition. However, as this Court observed in its order of dismissal, “[c]onclusory assertions that mental illness prevented a timely pursuit of relief do not entitle a petitioner to equitable tolling.” Doc. #12 at 6 (citing *Smith v. Kelly*, 301 F. App'x 375, 377–78 (5th Cir. 2008)). Accordingly, for the reasons stated in the March 12 order, the motion for a certificate of appealability [16] is **DENIED**.

SO ORDERED, this 6th day of April, 2021.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE